

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

MONDAY, MARCH 11, 1985

AT 2:00 P.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Hedgecock at 2:08 p.m.
Mayor Hedgecock presented a proclamation to Carol Council declaring the week of March 18-24, 1985 as "Rape Awareness Week" in San Diego in conjunction with "International Women's Day" on March 8, 1985.
Mayor Hedgecock adjourned the meeting at 3:33 p.m. to meet in Closed Session on Tuesday, March 12, 1985 at 9:00 a.m. in the twelfth floor conference room on meet and confer matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Hedgecock-present
- (1) Council Member Mitchell-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-present
- (4) Council Member Jones-present
- (5) Council Member Struiksma-present
- (6) Council Member Gotch-present
- (7) Council Member Murphy-present
- (8) Council Member Martinez-present
- Clerk-Abdelnour (jb)

FILE: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Hedgecock-present
- (1) Council Member Mitchell-not present
- (2) Council Member Cleator-present
- (3) Council Member McColl-present
- (4) Council Member Jones-present
- (5) Council Member Struiksma-present
- (6) Council Member Gotch-present
- (7) Council Member Murphy-present
- (8) Council Member Martinez-present

ITEM-10: INVOCATION

Invocation was given by Reverend Edward Maghirang,

Pastor of Assemblies of the First Born.
FILE: MINUTES

Mar-11-1985
ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Struiksma.
FILE: MINUTES

ITEM-30: WELCOMED

Welcoming a group of 17 visitors from International Sr.
Officer's Amphibious Planning, who will attend this meeting
accompanied by Lt. Gary Norausky. This group will arrive
at approximately 2:00 p.m.
FILE: MEET
COUNCIL ACTION: (Tape location: A035-070.)

19850311
ITEM-31: APPROVED

Approval of Council Minutes for the Meetings of:
2/25/85 P.M.
2/26/85 A.M. and P.M.
FILE: MINUTES
COUNCIL ACTION: (Tape location: A096-100.)
MOTION BY MURPHY TO APPROVE THE MINUTES. Second by Gotch.
Passed by the following vote: Mitchell-yea, Cleator-yea,
McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea,
Martinez-yea, Mayor Hedgecock-yea.

ITEM-32: DENIED HEARING

Matter of the request of Robert Chamberlain for a hearing
of an appeal from the decision of the Planning Commission
in approving Planned Residential Development Permits
PRD-83-0589 (Mirador) and PRD-20-158-2 (Canyon).
The property located on the west side of Camino Ruiz
between Los Sabalos Street and Penasquitos Canyon, which is
further described as portions of Section 24, 25, and 26,
Township 14 South, Range 3 West, S.B.B.M., is known as
Mirador Park Phase I (Mirador); the property located west
of Montongo Street between Penasquitos Canyon and Mira Mesa
Boulevard, which is further described as a portion of

Section 26, Map-6993 and a portion of Section 35, Map-7235, is known as Canyon Country (Canyon; formerly known as Lyon Mira Mesa). Both properties are located in the Mira Mesa Community Plan area, in the A-1-10 (proposed R1-5000) zone. The Mirador property permit proposes construction of 452 single-family, detached dwelling units. The Canyon property permit is an amendment to an existing PRD and proposes removal of that area now planned as a part of the Mirador Park PRD.

(PRD-83-0589 and PRD-20-158-2. District-5.)

Today's action is a motion granting or denying the request for a hearing of the appeal.

FILE: PERM - PRD-83-0589 and PRD-20-158-2

COUNCIL ACTION: (Tape location: A101-162.)

MOTION BY STRUIKSMA TO DENY A HEARING OF THE APPEAL. Second by Cleator. Passed by the following vote: Mitchell-nay, Cleator-yea, McColl-yea, Jones-nay, Struiksma-yea, Gotch-nay, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-50: (O-85-114) RETURNED TO CITY MANAGER

Introduction of an Ordinance amending Chapter V, Article 6, of the San Diego Municipal Code, by adding Section 56.57, relating to interfering with or harming Police Department dogs.

CITY MANAGER REPORT: Currently there is no section within the Municipal Code providing for the protection of the Police dogs utilized by the Police Department. The proposed section is necessary because, unlike the Department's horses, protection of the Department's dogs is not covered by the Penal Code. The proposed Ordinance will make it unlawful for any person to willfully or maliciously tease, taunt, strike, injure, kill, interfere or meddle with any dog while such animal is being utilized by the Police Department. Violation of this Ordinance will be a misdemeanor with violators subject to fine and/or imprisonment as provided in the Municipal Code.

FILE: MEET

COUNCIL ACTION: (Tape location: A164-177.)

MOTION BY MARTINEZ TO RETURN TO THE CITY MANAGER, AT THE MANAGER'S REQUEST. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-100: (R-85-1354) ADOPTED AS RESOLUTION R-262666

Awarding a contract for the purchase of fertilizers, pesticides, and herbicides, as may be required for a period of 1 year beginning February 1, 1985 through January 31, 1986, for an estimated cost of \$401,258.21, as follows: (BID-6089)

- 1) O. M. Scott and Sons Company (aka Scott's Pro-Turf) for Items 21, 22 and 24;
- 2) Butler's Mill Inc., for Items 1, 2, 6, 7, 8, 11, 27, 35, 36, 44, 49, 65 and 70, with an option to renew contract for an additional one-year period;
- 3) Target Chemical Co., for Items 3, 17, 28, 29, 30, 31, 37, 43, 45, 46, 50, 59, 61, 64 and 66, with option to renew contract for an additional one-year period;
- 4) Robinson Fertilizer Company for Items 4, 5 and 52; subject to potential price increase not to exceed 5 percent of the bid price during the initial contract period, with an option to renew contract for an additional one-year period;
- 5) Moyer Chemical Company for Items 9, 10, 14, 19, 25, 26, 38, 39, 40, 41, 42, 47, 48, 53, 54, 55, 58, 60, 62, 63 and 69; subject to a potential price increase not to exceed 5 percent of the bid price during the initial contract period, with an option to renew contract for an additional one-year period;
- 6) Wilbur-Ellis Company for Items 12, 13, 15, 16, 18, 20, 23, 32, 33, 34, 51, 56, 57 and 68; subject to a potential price increase not to exceed 5 percent of the bid price during the initial contract period, with an option to renew contract for an additional one-year period;
- 7) Lesco, Inc., for Item 67.

FILE: MEET

COUNCIL ACTION: (Tape location: A230-250.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmay-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-101:

Two actions relative to awarding contracts:

Subitem-A: (R-85-1518) ADOPTED AS RESOLUTION R-262667

For the purchase of two tractor-loaders for an actual cost of \$38,884.14, including tax, as follows: (BID-6126)

- 1) Miramar Bobcat, Inc., for Item 1 - one light industrial rubber-tired tractor loader;
- 2) Jack's Tractor and Equip. Inc., for Item 2 - one light agricultural rubber-tired tractor loader.

Subitem-B: (R-85-1517) ADOPTED AS RESOLUTION R-262668

Moore Business Forms for the purchase of 400,000 sets of Parking Citations Form TR-1505, for an actual cost of \$20,426.46, including tax and terms; directing the City Auditor to provide a contingency cost not to exceed \$2,084.22, including sales tax, in the event of an overrun, not to exceed 10 percent of order and for a plate change requested by the City. (BID-6177)

FILE: MEET

COUNCIL ACTION: (Tape location: A230-250.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-102:

Two actions relative to awarding contracts:

Subitem-A: (R-85-1428) ADOPTED AS RESOLUTION R-262669

Consolidated Portable Sanitation for rental of portable toilets, as may be required for a period of one year beginning March 1, 1985 through February 28, 1986, for an estimated cost of \$19,359, including tax and terms, with an option to renew contract for an additional one-year period, and option year price increases not to exceed 10 percent of original bid price. (BID-6165)

Subitem-B: (R-85-1519) ADOPTED AS RESOLUTION R-262670

B. Hayman Co., Inc. for the purchase of one power lawn mower for an actual cost of \$10,501.22, including tax and terms. (BID-6026)

FILE: MEET

COUNCIL ACTION: (Tape location: A230-250.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-103:

Two actions relative to awarding contracts:

Subitem-A: (R-85-1421) ADOPTED AS RESOLUTION R-262671

Barrett Engineered Pumps for the purchase of four horizontal self-priming centrifugal pumps, for a total cost of \$13,097.36, including tax. (BID-6161)

Subitem-B: (R-85-1422) ADOPTED AS RESOLUTION R-262672

For the purchase of air conditioning units, for a total cost of \$12,968.52, as follows: (BID-6162)

- 1) City Wide Air Conditioning, Heating and Appliance for Items 1, 2, 3, 4, 6, 6a, 7, 7a and 8.
- 2) Sears Contract Sales for Item 5.

FILE: MEET

COUNCIL ACTION: (Tape location: A230-250.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-104: (R-85-1520) ADOPTED AS RESOLUTION R-262673

Authorizing the Purchasing Agent to advertise for sale approximately six tons of scrap brass, which is no longer needed for City purposes; declaring that all expenses in connection with the sale of said scrap brass shall be deducted from the proceeds received from the sale thereof. (BID-6244L)

FILE: MEET

COUNCIL ACTION: (Tape location: A230-250.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-105:

Three actions relative to the final subdivision map of Bernardo Heights Unit No. 17, a 109-lot subdivision located northeasterly of Camino del Norte and Interstate 15: (Rancho Bernardo Community Area. District-1.)

Subitem-A: (R-85-1510) ADOPTED AS RESOLUTION R-262674

Authorizing the execution of an agreement with Genstar

Development, Inc. for the installation and completion of public improvements.

Subitem-B: (R-85-1509) ADOPTED AS RESOLUTION R-262675
Approving the final map.

Subitem-C: (R-85-1515) ADOPTED AS RESOLUTION R-262676
Authorizing the execution of an agreement with Genstar Development Inc. for payment of fees.

FILE: SUBD - Bernardo Heights Unit No. 17
CONTFY85-2

COUNCIL ACTION: (Tape location: A230-250.)
CONSENT MOTION BY GOTCH TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-106:

Three actions relative to the final subdivision map of Bernardo Heights Unit No. 18, a 27-lot subdivision located northeasterly of Camino del Norte and Interstate 15:
(Rancho Bernardo Community Area. District-1.)

Subitem-A: (R-85-1512) ADOPTED AS RESOLUTION R-262677
Authorizing the execution of an agreement with Genstar Development, Inc. for the installation and completion of public improvements.

Subitem-B: (R-85-1511) ADOPTED AS RESOLUTION R-262678
Approving the final map.

Subitem-C: (R-85-1514) ADOPTED AS RESOLUTION R-262679
Authorizing the execution of an agreement with Genstar Development Inc. for payment of fees.

FILE: SUBD - Bernardo Heights Unit No. 18
CONTFY85-2

COUNCIL ACTION: (Tape location: A230-250.)
CONSENT MOTION BY GOTCH TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-107:

Two actions relative to the final subdivision map of

Sycamore Canyon Unit No. 5, a 51-lot subdivision located northwesterly of Black Mountain Road and Interstate 15: (Rancho Bernardo Community Area. District-1.)

Subitem-A: (R-85-1508) ADOPTED AS RESOLUTION R-262680
Authorizing the execution of an agreement with Home Capital Corporation for the installation and completion of improvements.

Subitem-B: (R-85-1507) ADOPTED AS RESOLUTION R-262681
Approving the final map.

FILE: SUBD - Sycamore Canyon Unit No. 5
CONTFY85-1

COUNCIL ACTION: (Tape location: A230-250.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-108: (R-85-1466) ADOPTED AS RESOLUTION R-262682

Calling for a public hearing to determine whether the public health, safety or general welfare requires the formation of an Underground Utility District to be known and denominated as the Jackson Drive (Navajo Road to Lake Shore Drive) Underground Utility District.
(Navajo Community Area. District-7.)

CITY MANAGER REPORT: The proposed district will underground the overhead utility facilities on Jackson Drive between Navajo Road and Lake Shore Drive. This is a scheduled project in the CY '85 Capital Improvements Program. The formation of this district will require the affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities. The total number of affected properties in this district is 24, of which 22 are residential and 2 are commercial. A typical cost range for a licensed contractor to perform this conversion work on private property is \$600 - \$1,100. An existing overhead electric service to the City-owned Navajo Canyon Golf Course will require conversion at an estimated cost of \$3,500. The higher cost is due to the 100-foot length of the service, most of which is down a steep slope. The City is presently negotiating with the lessee on a variety of lease terms including providing the service underground conversion. Should it become necessary for

the City to accomplish the conversion, the allocation of the necessary City Force funds would be presented to the Council at a future date. A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion.

FILE: STRT K-138

COUNCIL ACTION: (Tape location: A230-250.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-109: (R-85-1485) ADOPTED AS RESOLUTION R-262683

Approving the acceptance by the City Manager of that deed of San Diego Unified Port District conveying to City a drain easement in a portion of Parcel 1-A of Miscellaneous Map-564; authorizing the execution of a quitclaim deed, quitclaiming to San Diego Unified Port District, all the City's right, title and interest in the drain easement in a portion of Parcel 1-A of Miscellaneous Map-564.

(Barrio Logan Community Area. District-8.)

CITY MANAGER REPORT: The San Diego Unified Port District has requested an exchange of drainage easements located southwesterly of the intersection of Belt and Sampson Streets in the Barrio Logan area. The drainage easements affect a portion of Port District property currently leased to Southwest Marine, Inc. The lessee has constructed additional improvements on the leased premises requiring the relocation of the existing drainage easement. The easement to be quitclaimed (acquired at no cost to the City in 1963) and the easement to be acquired have been determined to be approximately equal in value.

FILE: DEED F-2742 DEEDFY85-1

COUNCIL ACTION: (Tape location: A230-250.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-110: (R-85-1538) ADOPTED AS RESOLUTION R-262684

Authorizing the execution of a quitclaim deed, quitclaiming to Donald L. Bren Company all the City's right, title and interest in those abutters' rights of access in and to Regents Road, adjacent and contiguous to Lots 3 and 4 of La

Jolla Colony Unit No. 5, Map-10938.

(University North Community Area. District-1.)

CITY MANAGER REPORT: The access rights being revested were acquired as a condition of Subdivision Map-10938. However, the condition excepted that portion of Regents Road which had a half-street width of 61 feet. Inadvertently, the entire length of Regents Road along La Jolla Colony Unit No. 5 has relinquished access rights. The City's Traffic Engineering has determined that it is unnecessary for the access rights to be relinquished when the half-street is 61 feet. This action will restore access to that portion of Regents Road along La Jolla Colony Unit No. 5 which has a half-street width of 61 feet. The revestment of access right will maintain the continuity of access along Regents Road and facilitate the development of La Jolla Colony Unit No. 5. Since the access rights were acquired at no cost to the City, and the City has no fee interest, the access rights will be revested for processing costs.

FILE: DEED F-2743 DEEDFY85-1

COUNCIL ACTION: (Tape location: A230-250.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-111: (R-85-1583) ADOPTED AS RESOLUTION R-262685

Expressing appreciation and gratitude to Ricardo Irvine for the many courtesies he extended to the visitors from this City, and for his outstanding efforts on behalf of mutual friendship and economic benefit in both the United States and Mexico.

FILE: MEET

COUNCIL ACTION: (Tape location: A230-250.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-112: (R-85-1562) ADOPTED AS RESOLUTION R-262686

Establishing Council Policy 400-10 regarding Claims Related to Water Main Breaks and Sewer Backups.

(See City Manager Report CMR-85-41 and Council Policy 400-10 dated 2/28/85.)

COMMITTEE ACTION: Reviewed by RULES on 2/11/85. Recommendation

to adopt the Resolution as amended. Districts 1, 4, 6, 8 and Mayor voted yea.

COMMITTEE CONSULTANT REPORT: The Rules Committee met on February 11, 1985 and unanimously adopted the draft Council Policy. The committee also directed a change to the stated policy in Section 2, which is as follows, "If it is determined that the property owners' loss meets the criteria as stated in C, the following assistance will be provided".

FILE: MEET

COUNCIL ACTION: (Tape location: A230-250.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-113: (R-85-1565) ADOPTED AS RESOLUTION R-262687

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$6,800 from the Unallocated Reserve to the Engineering and Development Department to provide newsrack bases and pedestals for approximately 16 publications at approximately 10 locations throughout the City.

(See City Manager Reports CMR-84-461 and CMR-84-344.)

COMMITTEE ACTION: Reviewed by TLU on 12/3/84 and 8/20/84. Recommendation to approve the City Manager's recommendations. Districts 1, 2, 3, 4 and 5 voted yea.

CITY MANAGER REPORT: Reinstatement of the newsrack base and pedestal program was recommended by staff and the Ad Hoc Newsrack Committee in City Manager Report CMR-84-344. This proposal was initially reviewed at the Transportation and Land Use Committee meeting of August 20, 1984 and was approved at the Transportation and Land Use Committee meeting of December 3, 1984. The initial allocation of \$6,800 will provide pedestals and bases for approximately 16 racks at 10 locations. Specific locations are yet to be identified, but emphasis will be on areas with a large number of racks and high pedestrian activity. Funding for a continuation of the program in FY 1986 will be proposed as part of the budget package for FY 1986. The recommendation for additional staffing for enhanced enforcement of newsrack regulations by combining this task with other City-wide enforcement programs is still under study.

FILE: MEET

COUNCIL ACTION: (Tape location: A230-250.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Murphy. Passed by

the following vote: Mitchell-yea, Cleator-yea, McColl-yea,
Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea,
Mayor Hedgecock-yea.

* ITEM-114: (R-85-1499) ADOPTED AS RESOLUTION R-262688

Authorizing the City Treasurer to pay or cause to be paid,
in lieu of the actual receipt thereof, the sum of \$83.13
for Coupon No. 5 from 1911 Act Special Assessment District
Bond, Series 3612, Bond 0012, which coupon has been lost,
destroyed or mutilated.

CITY MANAGER REPORT: One coupon from 1911 Act Special
Assessment District, Bond Series 3612, Bond Number 0012,
totaling \$83.13 cannot be found or produced by the owner of the
bearer bond, and a request has been received to either issue a
duplicate coupon or make payment for the surrender value. Since
no extra bonds for that series are available, the Treasurer's
Office requests payment in lieu of issuing a duplicate coupon.
All payments to the bond are current. An affidavit has been
submitted by the securities dealer (Bedford-Watt Enterprises).
It has been signed by the bondholder and notarized. The
affidavit states that the bondholder (Irma C. Krieger) will hold
the City of San Diego harmless against any loss incurred on
account of the coupon. This affidavit acts as an identification
letter, since it was written by the securities dealer and is in
compliance with the provisions of Section 53460 and following of
the Government Code which establishes a procedure by which an
owner of a lost coupon may recover his loss. Payment is
therefore recommended to compensate for the lost coupon.

FILE: MEET

COUNCIL ACTION: (Tape location: A230-250.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Murphy. Passed by
the following vote: Mitchell-yea, Cleator-yea, McColl-yea,
Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea,
Mayor Hedgecock-yea.

* ITEM-115: (R-85-1500) ADOPTED AS RESOLUTION R-262689

Authorizing the City Treasurer to pay or cause to be paid,
in lieu of the actual receipt thereof, the sum of \$147.50
for Coupon No. 26 from the City of San Diego, San Diego
Planetarium Authority Bond of 1971, Bond No. 309, which
coupon has been lost, destroyed or mutilated.

CITY MANAGER REPORT: Coupon No. 26, due May 1, 1984 in the
face amount of \$147.50 detached from Bond No. 309 for \$5,000,

City of San Diego, San Diego Planetarium Authority Bond of 1971, maturing November 1, 1989, interest rate 5.9 percent, was mutilated. In order for the paying agent, Bank of America, to make payment for the mutilated coupon, the City must authorize approval of the payment. A letter has been received holding the City of San Diego harmless from any future claims, and a stop payment order has been issued.

FILE: MEET

COUNCIL ACTION: (Tape location: A230-250.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-116: (R-85-1601) ADOPTED AS RESOLUTION R-262690

A Resolution approved by the City Council in Closed Session on Tuesday, February 26, 1985 by the following vote:
Mitchell-not present; Cleator-yea; McColl-not present;
Jones-yea; Struiksma-yea; Gotch-yea; Murphy-yea;
Martinez-yea; Mayor Hedgecock-yea.

Authorizing the City Manager to pay the total sum of \$50,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the death of James E. Aston (Superior Court Case No. 497436 (consolidated with No. 497438), Debra Aston v. TNT Development, et al.); authorizing the City Auditor and Comptroller to issue one check in the total amount of \$50,000 made payable to Debra Aston individually and as Guardian ad Litem of Joseph Aston and William Thomas Aston and their attorneys, Luce, Forward, Hamilton and Scripps, in full settlement of the lawsuit and all claims.

CITY MANAGER REPORT: This constitutes the complete and final settlement of Debra Aston, Joseph Aston and William Thomas Aston's personal injuries as a result of the accident of October 11, 1982 resulting in the death of James E. Aston.

FILE: MEET

COUNCIL ACTION: (Tape location: A230-250.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-117: (R-85-1602) ADOPTED AS RESOLUTION R-262691

A Resolution approved by the City Council in Closed Session on Tuesday, February 26, 1985 by the following vote: Mitchell-not present; Cleator-yea; McColl-not present; Jones-yea; Struiksmayea; Gotch-yea; Murphy-yea; Martinez-yea; Mayor Hedgecock-yea.

Authorizing the City Manager to pay the total sum of \$50,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the death of Steven Alan Preston (Superior Court Case No. 497438, consolidated with No. 497436, Patricia Rae Preston v. TNT Development, et al); authorizing the City Auditor and Comptroller to issue one check in the total amount of \$50,000 made payable to Patricia Rae Preston individually and as Guardian ad Litem of Ryan Alan Preston and their attorneys, Luce, Forward, Hamilton and Scripps, in full settlement of the lawsuit and all claims.

CITY MANAGER REPORT: This constitutes the complete and final settlement of Patricia Rae Preston and Ryan Alan Preston's personal injuries as a result of the accident of October 11, 1982 resulting in the death of Steven Preston.

FILE: MEET

COUNCIL ACTION: (Tape location: A230-250.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-118: (R-85-1505) ADOPTED AS RESOLUTION R-262692

Establishing a parking time limit of two hours between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, on the north side of Canon Street from Shafter Street to Scott Street; authorizing the installation of the necessary signs and markings; declaring that the hereinabove imposed regulations shall become effective upon the installation of such signs.

(Peninsula Community Area. District-2.)

CITY MANAGER REPORT: The proposed zone was requested by the owners of 83 percent of the affected property frontage. Recent parking surveys determined the average occupancy and the average stay per car to be 125 percent and 2.78 hours, respectively. The Council-approved requirements for average occupancy and average stay for establishing a two-hour parking time limit zone are 75 percent and 3 hours, respectively. Although this location does not meet the 3 hour average stay requirement,

staff feels that this location meets the intent of that requirement. Staff, therefore, recommends the establishment of the requested time limited parking zone.

FILE: MEET

COUNCIL ACTION: (Tape location: A230-250.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-119: (R-85-1431) ADOPTED AS RESOLUTION R-262693

Authorizing the execution of two agreements with Crocker National Bank to provide custodial banking services for investments in the Cemetery Perpetuity Fund and Benjamin Memorial Fund.

CITY MANAGER REPORT: The City of San Diego currently contracts with the Crocker Bank to provide custodial services for the Cemetery Perpetuity and Benjamin Memorial Funds. The Funds Commission recommends amending the agreement with Crocker Bank to extend the contract for one additional year, to expire September 30, 1985, and to provide for certain modifications of procedures as requested by the City. Crocker Bank anticipates that the modifications could result in a reduction of administrative duties and the attendant's costs. It is possible that a reduction of fees might be negotiated at the end of the one-year extension of contract. The amendment will also modify the current transaction charges to reflect increased costs of the bank. However, total fees and charges remain competitive with other banks. Based upon current fund balances and activity the City received the following fee quotes from competing banks: California First Bank - \$12,140; Bank of America - \$10,000; San Diego Trust - \$7,600; Wells Fargo - \$6,830; Crocker Bank - \$5,190.

FILE: MEET CONFY85-2

COUNCIL ACTION: (Tape location: A230-250.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-120: (R-85-1504) ADOPTED AS RESOLUTION R-262694

Authorizing the execution of an agreement with Peter Hatlem for the construction of drainage facilities at Britain

Street and Viewcrest Drive; authorizing the expenditure of an amount not to exceed \$2,815 from Capital Outlay Fund 30245, Annual Allocation New Development, CIP-58-001, for the above project.

(Skyline-Paradise Hills Community Area. District-4.)

CITY MANAGER REPORT: There is a drainage problem at the intersection of Viewcrest Drive and Britain Street which was created when it was constructed several years ago. The drainage causing the problem originates from public streets. As a temporary solution, the City constructed an asphalt berm to channel the water to a nearby storm system. When the street is improved, as required by a tentative parcel map at the southwest corner of the intersection, the berm will be removed and the drainage can no longer be controlled unless permanent facilities are constructed. Since the problem originates from public right-of-way offsite from the subdivision, it is recommended that the City pay approximately 50 percent of the cost of the proposed drainage facility for a total not to exceed \$2,815. The City participation is in accordance with Council Policy 800-4 on financing drainage facilities.

FILE: SUBD - Parcel Map PM 83-0590 CONFY85-1

COUNCIL ACTION: (Tape location: A230-250.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-121: (R-85-1540) ADOPTED AS RESOLUTION R-262695

Authorizing the execution of an agreement with Rob Wellington Quigley, AIA, for professional services for the design of the Linda Vista Branch Library; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$946,196 from CIP-91-801.3, Revenue Sharing Reserve Fund, to CIP-35-063, Linda Vista Branch Library; authorizing the expenditure of an amount not to exceed \$157,327 from CIP-35-063, Linda Vista Branch Library, for the above project.

(Linda Vista Community Area. District-5.)

CITY MANAGER REPORT: Capital Improvements Project CIP-35-063 provides for design, construction and furnishing of a 10,000-square foot building at the northwest corner of Ulric Street and Comstock Street. The City-owned property is identified as Parcel B-2 of the Linda Vista Redevelopment Project. Redevelopment Agency Resolution No. 935, (May 22,

1984), provided that Agency staff give priority to the design of a library, rather than to develop Parcel B-2 for commercial uses. In accordance with Council Policy 300-7, the Consultant Nominating Committee recommended four firms for further consideration from among 33 firms that expressed interest in the project. The Selection Committee conducted interviews which resulted in the firm of Rob Wellington Quigley, AIA, being proposed for approval.

The architect's responsibilities include complete plans and specifications for the new library building and revision of the building program. The base fee is \$149,327 and additional services amount (if needed) is \$8,000. The base fee of \$149,327 includes the following breakdown: Architect 41.2 percent; Surveys (Melchoir Land Surveying), 0.9 percent; Soils Investigation (Leighton and Associates), 2.3 percent; Structural Engineering (South Bay Engineers) 13.4 percent; Civil Engineering (Boyle Engineering), 5.2 percent; Mechanical and Electrical Engineering (Vidal Maynard and Associates), 8.1 percent; Lighting Design (Ray Grenald and Associates), 5.7 percent; Landscape Design (Land Studio), 6.8 percent; Specifications (Bill Kelly), 2.0 percent; Cost Estimating (Dennis Crampton), 1.7 percent; Interior Design and Graphics (Design Point), 8.0 Percent; and Programming Services (Michael Feerer and Associates), 4.7 percent.

FILE: MEET CCONFY85-1

COUNCIL ACTION: (Tape location: A230-250.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-122: (R-85-1516) ADOPTED AS RESOLUTION R-262696

Authorizing the execution of an agreement with the Regents of the University of California, providing for the continuation of City lifeguard services on the beach adjacent to the University of California, Scripps Institution of Oceanography, for the period of July 1, 1985 through June 30, 1986.

(La Jolla Community Area. District-1.)

CITY MANAGER REPORT: Since 1964, the University of California at San Diego has requested and the City has provided contractual lifeguard service to UCSD for their beach property at Scripps Beach. This agreement will continue that contractual arrangement through Fiscal Year 1985-86. The agreement includes

a five-day cancellation clause should State funding be denied.

FILE: MEET CONFY85-1

COUNCIL ACTION: (Tape location: A230-250.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-123: (R-85-1537) ADOPTED AS RESOLUTION R-262697

Approving Change Order No. 1, dated December 17, 1984, issued in connection with the contract between the City of San Diego and Metro-Young Construction Company, amounting to a net increase in the contract price of \$52,223.65, and an extension of time of 20 working days; authorizing the expenditure of an amount not to exceed \$52,223.65 from the project contingency reserve available in the Industrial Development Fund 30248, CIP-39-040, Pueblo Lands Development.

(University City Community Area. District-1.)

CITY MANAGER REPORT: Eastgate Technology Park Unit No. 1 is a 145.6 acre industrial subdivision owned and being developed by the City of San Diego. The subdivision's eight lots will be sold or leased to industrial concerns. On June 18, 1984 the City Council authorized the City Manager to execute a contract with the lowest responsible and reliable bidder for construction of Unit No. 1. Metro-Young Construction Company was awarded the contract on September 17, 1984. The project consists of constructing the public improvements which include all the grading, landscaping and irrigation, curbs, sidewalks, paving, street lights, traffic signals, water and sewer mains, storm drains, and electric, gas and telephone underground utilities. The proposed change order will extend a 42-inch storm drain to a point further down the canyon in order to avoid the potential for serious erosion and preclude any damage to a 10-inch sewer main downslope. This change will protect the canyon open space and result in a safer and more aesthetic end product. Twenty additional working days are needed to perform this increment of the work. A companion item, Change Order No. 2, is requesting an extension of 29 additional days moving the expected completion date to July, 1985.

FILE: CONT - Metro-Young Construction Co. Eastgate
Technology Park #1

COUNCIL ACTION: (Tape location: A301-485.)

MOTION BY MITCHELL TO ADOPT. Second by Martinez. Passed by the

following vote: Mitchell-yea, Cleator-yea, McColl-yea,
Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea,
Mayor Hedgcock-yea.

ITEM-124: (R-85-1561) ADOPTED AS RESOLUTION R-262698

Approving Change Order No. 2, dated December 20, 1984,
issued in connection with the contract between the City of
San Diego and Metro-Young Construction Company amounting to
a net increase in the contract price of \$232,722.60, and an
extension of time of 29 working days; authorizing the
expenditure of an amount not to exceed \$232,722.60 from the
project contingency reserve available in the Industrial
Development Fund 30248, CIP-39-040, Pueblo Lands
Development.

(University City Community Area. District-1.)

CITY MANAGER REPORT: On June 18, 1984 the City Council
authorized the City Manager to execute a contract with the
lowest responsible and reliable bidder for construction of Unit
No. 1, Eastgate Technology Park, a 145.6 acre industrial
subdivision owned and being developed by the City of San Diego.
Metro-Young Construction Company was awarded the contract on
September 17, 1984. During actual construction operations,
areas of unsuitable material were encountered (primarily
alluvium) which had to be removed in order to secure competent
fill material for the future building sites. In accordance with
Section 300-2.2.1 of the Standard Specifications for Public
Works Construction, this unsuitable material was excavated,
mixed with more suitable material and recompactd in a manner
specified by the geo-technical consultant. This additional work
should be paid for at the unit price for Bid Item No. 54,
Grading/Embankment. Twenty-nine additional working days are
needed to perform this increment of the work. A companion item,
Change Order No. 1, is requesting an extension of 20 additional
days moving the expected completion date to July, 1985.

FILE: CONT - Metro-Young Construction Co. Eastgate
Technology Park #1

COUNCIL ACTION: (Tape location: A301-485.)

MOTION BY MITCHELL TO ADOPT. Second by Martinez. Passed by the
following vote: Mitchell-yea, Cleator-yea, McColl-yea,
Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea,
Mayor Hedgcock-yea.

ITEM-150: (R-85-1513) CONTINUED TO MARCH 25, 1985

Authorizing the execution of an agreement with the San Diego Unified School District for the lease, construction, maintenance, and operation of the Keiller Neighborhood Park Site.

(Skyline-Paradise Hills Community Area. District-4.

See City Manager Reports CMR-85-99 and CMR-84-253;

Committee Consultant Analysis PFR-84-46; and memorandum from Council Member Jones dated 10/31/84.)

COMMITTEE ACTION: Reviewed by PFR on 10/31/84.

Recommendation to approved a lease agreement with the San

Diego School District subject to the conditions in the

memorandum from Council Member Jones. Districts 1, 3, 4 and

7 voted yea. District 2 not present.

FILE: LEAS - San Diego Unified School District -

Keiller Neighborhood Park Site

LEASFY85-1

COUNCIL ACTION: (Tape location: A211-225.)

MOTION BY JONES TO CONTINUE TO MARCH 25, 1985, AT HIS REQUEST, AND HAVE CITY MANAGER OFFICE STAFF ALONG WITH THE SCHOOL DISTRICT STAFF AVAILABLE TO ANSWER ANY QUESTIONS THAT MIGHT ARISE FROM THE COMMUNITY GROUP MEETINGS. Second by Mitchell.

Passed by the following vote: Mitchell-yea, Cleator-yea,

McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea,

Martinez-yea, Mayor Hedgecock-yea.

ITEM-151: (R-85-1551 Rev.1) RETURNED TO CITY MANAGER

Authorizing the sale of a portion of Lot 1, of Horton's Purchase in the Ex-Mission Lands of San Diego, Map-283 to the highest bidder at the March 11, 1985 auction; authorizing the execution of a grant deed, granting to the highest bidder said property; declaring that a broker's commission shall be paid if the successful bidder is represented by a registered broker; authorizing payment of related expenses in accordance with the sale from the proceeds thereof; declaring that the highest bidder shall agree to develop the property pursuant to the City's ordinances relating to Planned Residential Developments (PRD); authorizing the execution of an appropriate agreement with the successful bidder, in a form satisfactory to the City Attorney, which will require a PRD for the development of the property and which shall be binding upon the successful bidder and the successors in interest to such bidder.

(See City Manager Report CMR-84-82. East San Diego

Community Area. District-3.)

COMMITTEE ACTION: Reviewed by PFR on 3/7/84. Recommendation to adopt with the condition that the property be developed as a Planned Residential Development. Districts 1, 2, 3 and 7 voted yea. District 4 not present.

CITY MANAGER REPORT: This property, located on the west side of Euclid Avenue, north of Fir Street in the East San Diego area, was acquired from the Housing Commission on October 31, 1983 by Council Resolution R-259545. On March 7, 1984, the Public Facilities and Recreation Committee recommended the sale of this parcel at public auction. A condition of the sale is that the buyer develop this parcel through the Planned Residential Development (PRD) process. This parcel is pie-shaped, consisting of approximately 5.7 acres of vacant land in the R-1-5 zone. A public auction of this property is to be held in the Council Chambers on the morning of March 11, 1985, and the results of that auction are being brought forward to Council for consideration.

FILE: DEED F-2744 DEEDFY85-1

COUNCIL ACTION: (Tape location: A196-210.)

MOTION BY MARTINEZ TO RETURN TO CITY MANAGER, AT THE MANAGER'S REQUEST. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-200: (R-85-1548) ADOPTED AS RESOLUTION R-262699

Authorizing the sale of a portion of the Southwesterly Quarter of Pueblo Lot 124, Miscellaneous Map-35, to the highest bidder at the March 11, 1985 auction; authorizing the execution of a grant deed, granting to the highest bidder said property; declaring that a broker's commission shall be paid if the successful bidder is represented by a registered broker; authorizing payment of related expenses in accordance with the sale from the proceeds thereof.

(Peninsula Community Area. District-2.)

CITY MANAGER REPORT: The 4,500-square-foot parcel, located on the west side of Rosecrans Street north of Kellogg Street in the Point Loma area, was deeded to the City in 1980 by Moonlight Bay, Ltd., with restrictions requiring its use for low and moderate income housing. On April 23, 1984, the City Council, by Resolution R-260500, accepted quitclaim deeds removing the deed restrictions and authorizing the sale of the property at public auction. It was further directed by the Council that the net proceeds from the sale of this parcel be utilized to develop

as many affordable housing units as possible elsewhere in the Coastal Zone. The Housing Commission was authorized to deduct \$5,000 from the proceeds for costs incurred in obtaining the quitclaim deeds. A public auction of this property is to be held in the Council Chambers on the morning of March 11, 1985, and the results of this auction are being brought forward to Council for consideration.

FILE: DEED F-2745 DEEDFY85-1

COUNCIL ACTION: (Tape location: A486-B089.)

MOTION BY GOTCH TO APPROVE THE SALE OF THE PROPERTY AND DIRECT THE CITY MANAGER TO REPORT BACK TO COUNCIL IN TWO WEEKS WITH INFORMATION AS TO WHY THE SUBJECT PROPERTY IS NOT PART OF THE MASTER RESOLUTION AND HOW THE MONEY SHOULD BE DISTRIBUTED. ALSO CHECK THE TRANSCRIPT IN AN EFFORT TO PINPOINT THE EXACT REASON WHY THE PROPERTY WAS UP FOR SALE. Second by Cleator. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-201: (R-85-1550) CONTINUED TO MARCH 18, 1985

Authorizing the sale of all that portion of Lot K, Block 9 of Las Alturas Unit 3, Map-1988, to the highest bidder at the March 11, 1985 auction; authorizing the execution of a grant deed, granting to the highest bidder said property; declaring that a broker's commission shall be paid if the successful bidder is represented by a registered broker; authorizing payment of related expenses in accordance with the sale from the proceeds thereof.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER REPORT: This property, located at the northeast corner of Euclid Avenue and Groveland Drive in the Southeast San Diego area, was processed through the City's Land Clearance Procedure. The Transportation and Land Use Committee recommended that the site be designated for sale and the Council approved this recommendation. It is rectangular in shape, comprising 5,500 square feet of vacant land in the R-2 Zone. A public auction of this property is to be held in the Council Chambers on the morning of March 11, 1985, and the results of this auction are being brought forward to Council for consideration.

FILE: DEED F-2746 DEEDFY85-1

COUNCIL ACTION: (Tape location: B090-170.)

MOTION BY JONES TO CONTINUE TO MARCH 18, 1985, AT HIS REQUEST.

DIRECT THE CITY MANAGER TO CONTACT THE SUCCESSFUL BIDDER TO SEE

IF THEY WOULD VOLUNTARILY COMPLY WITH THE COUNCIL-ADOPTED INTERIM GUIDELINES. ALSO, COORDINATE EFFORTS OF THE CITY MANAGER'S OFFICE AND PLANNING DEPARTMENT WITH RESPECT TO ANY FUTURE ACTIONS OF THIS TYPE INVOLVING AUCTIONS OF CITY-OWNED PROPERTY WHERE SPECIAL EFFORTS ARE UNDERWAY TO UPGRADE THE AREA.

Second by Struiksma. Passed by the following vote:
Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea,
Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-202: (R-85-1549) RETURNED TO CITY MANAGER

Authorizing the sale of Lots 25, 26, and Block 5, Frary Heights to the highest bidder at the March 11, 1985 auction; authorizing the execution of a grant deed, granting to the highest bidder said property; declaring that a broker's commission shall be paid if the successful bidder is represented by a registered broker; authorizing payment of related expenses in accordance with the sale from the proceeds thereof.

(Park Northeast Community Area. District-8.)

CITY MANAGER REPORT: This property, located at the northwest corner of 32nd and Redwood Streets in the Park Northeast Community Area, was processed through the City's Land Clearance Procedure. The Transportation and Land Use Committee recommended that the site be designated for sale and the Council approved this recommendation. It is rectangular in shape, consisting of 6,250 square feet of vacant land in the R-3000 Zone. A public auction of this property is to be held in the Council Chambers on the morning of March 11, 1985, and the results of this auction are being brought forward to Council for consideration.

FILE: DEED F-2747 DEEDFY85-1

COUNCIL ACTION: (Tape location: A196-210.)

MOTION BY MARTINEZ TO RETURN TO CITY MANAGER, AT THE MANAGER'S REQUEST. Second by Gotch. Passed by the following vote:
Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea,
Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-203: (R-85-1552) RETURNED TO CITY MANAGER

Authorizing the sale of Parcel 1 of Parcel Map PM-13590 to the highest bidder at the March 11, 1985 auction; authorizing the execution of a grant deed, granting to the highest bidder said property; declaring that a broker's

commission shall be paid if the successful bidder is represented by a registered broker; authorizing payment of related expenses in accordance with the sale from the proceeds thereof.

(Uptown Community Area. District-8.)

CITY MANAGER REPORT: This property, located at the northeast corner of Laurel and Union Streets, was processed through the City's Land Clearance Procedure. The Transportation and Land Use Committee recommended that the site be designated for sale and Council approved this recommendation. It is irregular in shape, consisting of approximately 0.685 acre of vacant land in the R-3 Zone. A public auction of this property is to be held in the Council Chambers on the morning of March 11, 1985, and the results of that auction are being brought forward to Council for consideration.

FILE: DEED F-2748 DEEDFY85-1

COUNCIL ACTION: (Tape location: A196-210.)

MOTION BY MARTINEZ TO RETURN TO CITY MANAGER, AT THE MANAGER'S REQUEST. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-204: (R-85-1383) CONTINUED TO MARCH 18, 1985

(Continued from the meeting of February 19, 1985 and February 25, 1985; last continued at the City Manager's request.)

Authorizing and approving the expenditure of an amount not to exceed \$52,500 from General Services Operational Funds for the Miramar Landfill Program Element 53332, to cover the cost of acquiring temporary access rights to the Miramar Landfill Program for a one-year period.

(Clairemont Mesa Community Area. District-5.)

CITY MANAGER REPORT: Since 1960, the City's only public access to the Miramar Landfill has been through private property at Mercury Street Extension north of Clairemont Mesa Boulevard. This has been accomplished through a series of temporary road easements. The latest agreement, approved by City Council in January, 1983, provided the City with a one-year extension at fair market value plus an option to renew it for four additional one-year periods at increases based on the Consumer Price Index. The payment this year is to be \$52,125, which is a CPI increase of 5.0 percent applied to last year's rent of \$49,625.

FILE: MEET

COUNCIL ACTION: (Tape location: A187-196.)

MOTION BY MURPHY TO CONTINUE TO MARCH 18, 1985, AT THE CITY MANAGER'S REQUEST. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-S400: (R-85-1610) ADOPTED AS RESOLUTION R-262700

Proclaiming March 11, 1985 through March 18, 1985 as "Californians for Drug-Free Youth Week" in the City of San Diego and encouraging all San Diego communities to send their youth, educators and leaders to the state-wide conference in San Diego on March 15-16, 1985 to learn about prevention strategies for parents and communities, school curriculums and policies that discourage drug use, and existing state-wide programs that work effectively in reducing the incidence of alcohol and drug abuse by young people.

FILE: MEET

COUNCIL ACTION: (Tape location: A230-250.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-S401: (R-85-1616) ADOPTED AS RESOLUTION R-262701

Accepting the bid of \$1,369,592 by Matt J. Zaich and Sons, Inc. and awarding a contract for the construction of Market Street Storm Drain - Phase II; authorizing the City Auditor and Comptroller to transfer \$300,000 from CIP-91-801.3, Revenue Sharing Fund - Unallocated Reserve to CIP-11-206, Market Street Outfall; authorizing the expenditure of not to exceed \$300,000 from CIP-11-206, Market Street Outfall, to supplement funds previously authorized by Resolution R-257770 (adopted on January 10, 1983) and Resolution R-261895 (adopted November 13, 1984) for providing funds for said project and related costs. (BID-5999A)
(Centre City Community Area. District-8.)

CITY MANAGER REPORT: The Market Street Storm Drain - Phase II project is an extension of Phase I which ended at India Street. Phase II will continue easterly to Fourth Avenue and will provide an adequate drainage system for much of the Centre City area. On December 4, 1984, only one bid was received for this project. The bid was 51 percent over the Engineer's

estimate. The bid was rejected and the project readvertised. On February 27, 1985, four bids were received. The low bid of \$1,369,592, which was submitted by Matt J. Zaich and Sons, Inc., is 28 percent above the Engineer's estimate. Since four bids have now been received, all in the same general range, it would appear that the low bid represents the true cost of the project, and that readvertising would not produce a lower bid. Therefore, it is recommended that the project be awarded to the low bidder.

FILE: CONT - Matt J. Zaich and Sons
CONTFY85-1

COUNCIL ACTION: (Tape location: A230-250.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-S402: (R-85-1603) ADOPTED AS RESOLUTION R-262702

Supporting the efforts of our Congressional delegation to appropriate \$32 million to build interim facilities to capture the flows of Mexican sewage entering the United States and requesting the Federal government to pay all operation and maintenance costs associated with whatever defensive facility is built; directing the Intergovernmental Relations Department and the City's Sacramento representative to support Assembly Bill AB-1012 which appropriates the funds for a defensive facility; directing the Intergovernmental Relations Department and the City Manager to seek assurances that whatever defensive facility may be built with Federal or State dollars be constructed to the City's satisfaction; directing the City Manager to inform the International Boundary and Water Commission that the City does not intend to renew the Emergency Pipeline Agreement to temporarily treat Mexican sewage when said agreement expires on December 17, 1985. (See the draft resolution regarding flows of Mexican sewage and memorandum from Intergovernmental Relations Department dated 2/15/85.)

COMMITTEE ACTION: Reviewed by RULES on 2/25/85. Recommendation to adopt the draft resolution from the Director of Intergovernmental Relations regarding flows of Mexican Sewage, adding that the Council go on record as stating that the City is not at this time indicating, or considering approval, of any extended agreement with respect to the Emergency Pipeline.

Districts 4, 6, 8, and Mayor voted yea. District 1 not present.

FILE: MEET

COUNCIL ACTION: (Tape location: B171-308.)

MOTION BY MARTINEZ TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-S403: (R-85-1596) FAILED (To be redocketed for Council meeting of 3-18-85, pursuant to Council Policy 000-13.)

Confirming the appointment by the Mayor of Nicholas Hernandez to serve as a member of the Civil Service Commission for a five-year term ending January 9, 1990, to replace Raul Salazar, whose term has expired.
(See memorandum from Mayor Roger Hedgecock dated 3/1/85.)

FILE: MEET

COUNCIL ACTION: (Tape location: B309-320.)

MOTION BY GOTCH TO ADOPT. Second by Mitchell. Failed for lack of 5 affirmative votes as follows: Mitchell-yea, Cleator-nay, McColl-nay, Jones-nay, Struiksmayea, Gotch-yea, Murphy-nay, Martinez-nay, Mayor Hedgecock-yea.

ITEM-S404: (R-85-1612) CONTINUED TO MARCH 18, 1985

Confirming the following reappointments by the Mayor to the Old San Diego Planned District Review Board for terms ending March 1, 1986:

Jeffrey J. Rogers (Architect)

Avery A. Wold (Property Owner, Old San Diego)

Ardath Flynn (Property Owner, Old San Diego)

(See memorandum from Mayor Roger Hedgecock dated 3/5/85.)

FILE: MEET

COUNCIL ACTION: (Tape location: B321-375.)

MOTION BY MURPHY TO CONTINUE TO MARCH 18, 1985, AT HIS REQUEST. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-S405: (R-85-1281) RETURNED TO CITY MANAGER

(Continued from the meeting of March 4, 1985, at the City Manager's request, for further review by the Equal Opportunity Officer.

Awarding a contract to Clairemont Equip. Co. for rental of one hydraulic dozer, with manual angle blade (Case Model 1450B), as may be required for a period of five months on a daily, weekly, or monthly basis, beginning approximately February 1, 1985 through June 30, 1985, for an estimated cost of \$16,000. (BID-6044)

FILE: MEET

COUNCIL ACTION: (Tape location: A178-187.)

MOTION BY MARTINEZ TO RETURN TO CITY MANAGER, AT THE MANAGER'S REQUEST. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-S406: (R-85-1639) ADOPTED AS RESOLUTION R-262703

Directing the City Manager to accelerate a project for the construction of a small bay in the South Shores area of Mission Bay Park, as recommended in City Manager Report CMR-85-117, dated March 5, 1985, and to take the necessary steps to place this project into the Fiscal Year 1986 Capital Improvements Program.

(See City Manager Report CMR-85-117. Mission Bay Community Area. District-6.)

COMMITTEE ACTION: Reviewed by PSS on 3/6/85. Recommendation to adopt the Resolution. Districts 3, 4, 5, 6 and 8 voted yea.

FILE: MEET

COUNCIL ACTION: (Tape location: A230-250.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-S407: (R-85-1619) ADOPTED AS RESOLUTION R-262704

Awarding a contract to Foster Turf Products for the purchase of 114,000 square feet of Tifgreen bermuda sod, for a total cost of \$28,794.90. (BID-6274)

(For use at San Diego Jack Murphy Stadium. Mission Valley Community Area. District-5.)

CITY MANAGER REPORT: This sole source bid has occurred for the following reasons:

- 1) As the result of soil and plant samples taken in the past two weeks, it has been shown that the Stadium playing field is infested with nematodes, a microorganism that feeds on grass. Nematodes can be controlled, but not eliminated, with

fungicide and nemecide applications.

- 2) The cold and damp winter has extended the Stadium turf's dormancy, thus limiting its ability to resist the invasion of the microorganism.
- 3) Due to the lateness of the season, the sole source bidder is the only grower available with the volume of product needed for immediate delivery.
- 4) The sole source bidder grows sod in a sand base. This will save the Stadium thousands of dollars in washing costs.

FILE: MEET

COUNCIL ACTION: (Tape location: B376-615.)

MOTION BY McCOLL TO ADOPT AND DIRECT THE CITY MANAGER TO EXPLORE THE REASONS FOR THE PROBLEMS ASSOCIATED WITH THE SOIL AT THE STADIUM AND ADDRESS THE APPROPRIATE ACTION THAT SHOULD BE TAKEN AGAINST THE RESPONSIBLE PARTY. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-UC-1: (R-85-1642) ADOPTED AS RESOLUTION R-262705

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Approving application to the California Arts Council (CAC) for a FY '86 State/Local Partnership Program grant.

FILE: MEET

COUNCIL ACTION: (Tape location: B634-656.)

MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ADJOURNMENT:

The meeting was adjourned by Mayor Hedgecock at 3:33 p.m.

FILE: MINUTES

COUNCIL ACTION: (Tape location: B616-633).

MOTION BY MARTINEZ TO ADJOURN IN HONOR OF THE MEMORY OF ENRIQUE CAMARENA SALAZAR AND ALFREDO ZAVALA. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

MOTION BY JONES TO ADJOURN IN HONOR OF THE MEMORY OF CHARLES HENDERSON. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea,

Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.